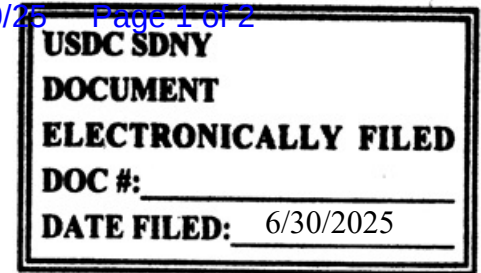


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June 30, 2025

Via ECF

The Honorable Margaret M. Garnett
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 1007

Re: Letter re Deadlines set by the Court's May 29, 2025 Briefing Schedule Order
Range, Jr. v. Flemington Estates LLC et al; Civil Case No: 1:25-cv-02633

Dear Judge Garnett:

Hanski Partners represents Plaintiff King Range, Jr. in the above-referenced action. We write regarding the Court's Order of May 29, 2025 (the "MTD Order") which set deadlines related to any motion to dismiss filed by Defendants. Specifically, we write to respectfully ask the Court to clarify whether the July 11, 2025 deadline for Plaintiff to respond to any motion to dismiss, includes the filing of an amended complaint to address Defendants' motion to dismiss. If the July 11, 2025 deadline was not intended to encompass the filing of an amended complaint, Plaintiff respectfully asks the Court to set July 11, 2025 as the deadline to file an amended complaint or to respond to Defendants' motion to dismiss.

Plaintiff makes this request to avoid missing the deadline to file an amended complaint in response to Defendants' motion to dismiss. The deadline of July 11, 2025 set forth in the MTD Order for Plaintiff to respond to Defendants' motion to dismiss is 21 days after June 20, 2025, the date by which Defendants were required to answer or move to dismiss Plaintiff's Complaint. Pursuant to Fed. R. Civ. P. 15(a)(1)(B) a plaintiff may amend his Complaint on or before 21 days after a Rule 12(b) motion is served. Therefore the MTD Order's July 11, 2025 deadline for Plaintiff to respond to the motion to dismiss corresponds to the deadline for Plaintiff to amend his complaint pursuant to Fed. R. Civ. P. 15(a)(1)(B). However, Plaintiff is mindful that Rule B.6. of Your Honor's Individual Rules & Practices provide that a plaintiff may amend a complaint within 14 days of the filing of a motion to dismiss. Therefore, pursuant to Rule B.6. of Your Honor's Individual Rules, Plaintiff's deadline would be July 7, 2025.

Because the deadline for Plaintiff to amend his Complaint pursuant to Your Honor's Individual Rules arises before the deadline set forth in the MTD Order, Plaintiff respectfully asks the Court to clarify whether the July 11, 2025 date applies to Plaintiff's deadline to amend his Complaint in response to Defendants' motion to dismiss. If the MTD Order's deadline does not apply to the deadline to amend his Complaint, Plaintiff respectfully asks the Court to set July 11, 2025 as the deadline for Plaintiff to amend his Complaint.

Thank you for your time and attention to this matter.

Respectfully,
/s/ Adam S. Hanski
Adam S. Hanski, Esq.

On May 29, 2025, the Court set a briefing schedule for motion(s) to dismiss in response to the Complaint. Dkt. No. 12. Under the schedule set by the Court, "Plaintiff shall respond by July 11, 2025," to any motion(s) to dismiss. *See id.* In accordance with the Federal Rules of Civil Procedure and this Court's Individual Rules (*see* Rule II(B)(6)), Plaintiff may amend the Complaint without leave of Court in response to the pending motions to dismiss, rather than opposing such motion. The July 11 deadline for Plaintiff to respond to such motions is the date by which Plaintiff must either file a brief in opposition to the motions to dismiss or file an amended complaint in response to the issues raised in the motions. The Clerk of Court is respectfully directed to terminate Dkt. No. 19.

SO ORDERED. Date: 6/30/2025.



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE